

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

INNA GUDAVADZE, LIANA ZHMOTOVA and IYA
PATARKATSISHVILI

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: 08-civ-

JOSEPH KAY (A/K/A JOSEPH KAKALASHVILI
A/K/A JOSEPH KEJ A/K/A IOSEB
KAKALASHVILI A/K/A IOSEB KAKIASHVILI),
AND EMANUEL ZELTSER

08 CV 03363

TO: (Name and address of defendant)

JUDGE SULLIVAN

Emanuel Zeltser
119 West 72nd Street
#229
New York, New York 10023

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Christopher K. Tahbaz
Jennifer R. Cowan
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022
212-909-6000

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 04 2008

CLERK

DATE

Catherine Lepore
(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INNA GUDAVADZE, LIANA ZHMOTOVA AND
IYA PATARKATSISHVILI

INDEX #:
08 CV 03363
DATE FILED:
04/04/2008

- against -

JOSEPH KAY(A/K/A JOSEPH KAKALASHVILI A/K/A
JOSEPH KEJ A/K/A IOSEB KAKALASHVILI A/K/A IOSEB
KAKIASHVILI), AND EMANUEL ZELTSER

JUDGE:
RICHARD J. SULLIVAN
ATTORNEY FILE#:
~~1-11111111~~

Plaintiff(s)
~~Defendant(s)~~
Defendant(s)

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

MICHAEL CORLEONE, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 04/05/2008, 01:21PM at 235 WEST 76TH STREET, NEW YORK NY 10023, deponent served the within SUMMONS IN A CIVIL CASE, VERIFIED COMPLAINT, FRCP 7.1 DISCLOSURE STATEMENT, CIVIL COVERSHEET, INDIVIDUAL PRACTICES OF RICHARD J. SULLIVAN, CASE MANAGEMENT PLAN AND SCHEDULING ORDER ECF, DEFAULT JUDGEMENT PROCEDURE, 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL & PROCEDURES FOR ELECTRONIC CASE FILING on EMANUEL ZELTSER, a defendant in the above action.

By delivering a true copy thereof to and leaving with OSCAR MATOS/DOORMAN, a person of suitable age and discretion at the above address, the said premises being the defendant's dwelling place/usual place of abode within the State of NEW YORK.

Deponent completed service by depositing a copy of the above described papers in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 04/05/2008 addressed to defendant EMANUEL ZELTSER at 235 WEST 76TH STREET, APT. #16A, NEW YORK NY 10023 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the defendant.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex M Approximate age 61 Approximate height 6'01" Approximate weight 240 Color of skin WHITE Color of hair BALDING
WHITE Other ACCENT, GLASSES

OSCAR MATOS told the deponent that EMANUEL ZELTSER was not presently in the military service of the United States Government or on active duty in the military service in the State of NEW YORK or a dependent of anybody in the military.

THE DOORMAN PERFORMS NORMAL DUTIES AS A DOORMAN AND WOULD NOT ALLOW DEPONENT ACCESS TO DEFENDANT'S APARTMENT DOOR. ***

DEBEVOISE & PLIMPTON
LLP

919 THIRD AVENUE

NEW YORK, NY 10022
(212)909-6000


MICHAEL CORLEONE

Sworn to before me on 04/07/2008
MAUREEN MCCAFFREY NO.01MC5018583
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES OCTOBER 4, 2009

APPLE ATTORNEY SERVICE, PO BOX 470, MINEOLA NY 11501-0470
Phone: 516-742-0077 * Fax: 516-742-4726

| U.S. POSTAL SERVICE | | CERTIFICATE OF MAILING | |
|--|--|---------------------------|--|
| MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER | | | |
| Received From: | | P.O. BOX 470 | |
| | | MINEOLA, NY 11501-0470 | |
| | | "Personal & Confidential" | |
| One piece of ordinary mail addressed to: | | | |
| EMANUEL ZELTSE | | | |
| 235 WEST 76 TH STREET | | | |
| APT. # 16A | | | |
| NEW YORK, NY 10023 | | | |

PS Form 3817, Mar. 1989



0000

00010003-03

\$1.05

U.S. POSTAGE
PHILADELPHIA
GARDEN CITY, NY
11530
APR 05 08
PMOUNT